

Application No.: 10/806,960
Amendment dated August 13, 2007
Response to Office action dated April 17, 2007

Amendments to the Drawings:

Attached: Replacement Drawings

REMARKS/ARGUMENTS

The applicants acknowledge, with thanks, receipt of the office action dated April 17, 2007, and completion of the personal interview of August 8, 2007. The discussions therein, along with the Examiner's much appreciated observations and suggestions, are summarized and incorporated herein.

Figure 1 was objected to for failing to comply with 37 CFR 1.84(m). A corrected drawing sheet is submitted herewith. No new matter has been added.

Claims 27-32 were objected to as being a substantial duplicate of claims 11, 12, 16-19. Claims 27-32 have been cancelled, and therefore this rejection is moot.

Claims 12-20 were objected to under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 12-20 have been amended as suggested by the Examiner. As such, this rejection should be withdrawn.

Claims 1-32 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,151,643 to Cheng et al. Claims 1-26 are currently pending. In view of the amendments and comments herein, it is respectfully submitted that all of the Examiner's concerns are addressed, and all claims are in condition for allowance.

By way of review, the subject application is directed to a system and method for remotely securing software updates for computer systems. Software updates from a plurality of sources as well as installation scripts associated with at least one software update received at a server and data representative of a plurality of remote data processing device is stored in secure data storage. Registration data is received at each of the remote data processing devices specific thereto. The registration data includes data corresponding to a secure communication path between the server and the remote processing device, identification data corresponding to identification of installed software, update parameter data corresponding to specified timing of software updates, and data corresponding to selective manual and automatic installation of software updates. A login request is received from each remote data processing device and the login request is compared with the remote data processing device data. The server is placed in secure data communication with each requesting remote data processing device upon a positive comparison, and the secure data communication channels is established in accordance with registration data. The software updates are then pushed from the server along with the associated

installation script in accordance with the received login request and the associated registration data. As updates are received into the server, they are tested relative to registration data to determine which, if any, of the remote computers should receive them. Thus, a server will push updates to remote computers in accordance with preselected criteria associated with the workstation.

In contrast, Cheng is directed to a system wherein a user can login to an updates server, scan which updates may be desired, and download for installation updates which a user has selected. A server does not receive updates and itself recognize whether an update is appropriate for and selected by a remote workstation. Nor does Cheng teach a server initiated system for pushing an update, together with an appropriate installation routine, to a remote computer in accordance with such preset registration information. In summary, Cheng is directed to a client initiated and directed pull of updates, while the subject system and method are directed to a server directed determination of appropriateness of an update for plural remote clients in accordance with preset registration information.

Amendment to each of independent claims 1, 11 and 21 has been made to render more clearly the patentable distinctions over the art of record. More particularly, the subject amendments clarify the novel aspects noted above. Accordingly, it is submitted that all claims are in condition for allowance. An early allowance of all claims is respectfully requested.

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 66329/31278.

Respectfully submitted,



Susan L. Mizer
Registration No. 38,245
TUCKER ELLIS & WEST LLP
1150 Huntington Bldg.
925 Euclid Ave.
Cleveland, Ohio 44115-1414
Customer No.: 23380
Tel.: (216) 696-3466
Fax: (216) 592-5009

Date: August 13, 2007